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09/295,288	04/20/1999	MICHAEL J. FARGANO	1610USW-0487	7007

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EXAMINER

SOBUTKA, PHILIP

ART UNIT PAPER NUMBER

2684

DATE MAILED: 01/29/2004

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 10

Application Number: 09/295,288
Filing Date: April 20, 1999
Appellant(s): FARGANO ET AL.

Jeremy J. Curcuri
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed July 25, 2002.

Art Unit: 2684

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

The appellant's statement in the brief that certain claims do not stand or fall together is not agreed with because applicant has not provided reasons or arguments why the claims should not stand or fall together.

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

Art Unit: 2684

(9) Prior Art of Record

5,991,616	Mizra et al	11-1999
6,091,944	Friend	7-2000

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1,2,5,6,8,9,11-13,18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Mirza et al (US 5,991,616).

Consider claims 1,19. Mirza teaches a system comprising control logic connected to a wireless network configured to generate a wireless call detail record in response to placement of a wireless call from a call source having an identity; additional control logic connected to a wire line network, the logic configured to generate a wire line call detail record; and an operation support system having call detail record control logic configured to receive the wireless call detail record from the access manager control logic to receive the wire line call detail record from the switch control logic and to combine wireless and wire line call detail records that correspond to the same customer into an integrated call record. Note that Mizra integrates the claimed wireless and wire line logic control and support systems in a single service control point, SCP (Mirza see especially fig 1, col 3, lines 13 – col 4, line 40).

As to claim 12, the system of Mirza would perform the claimed steps.

As to claims 2,13,20, note that Mirza receives the wireless data in a stream from the wireless system while the wire line data is received from the wire line system in a second stream (Mirza see especially fig 1).

Art Unit: 2684

As to claims 5,6, note that Mirza teaches the call data record containing a MIN (Mirza see especially col 3, lines 38-46).

As to claims 8,9, note that Mirza teaches the call data including the call source location and cal duration (Mirza see especially col 3, lines 38-46).

As to claims 11,18, note that the call detail record represents calling feature usage corresponding to the customer.

Claims 3,10,14,17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mirza.

Consider claims 3,14. Mirza lacks a teaching of the wireless and wire line call records being transmitted to the manager logic from the switch using a combined message. Note that Mirza teaches the two records reaching the SCP over two different routes including the switch, but is silent as to how the combined information may be transmitted throughout the system for further processing. It would be apparent to one of ordinary skill in the art that the above difference would depend more upon engineering design considerations than on any inventive concept limitation because the overall operation of the system would not be changed by the particular routing of the combined call records. Therefore, it would have been obvious to one of ordinary skill in the art to modify Mirza as shown in the claims to combine the call records at the switch before transmission to the SCP in order to reduce the processing required at the SCP and to allow for a central location to receive all call records.

Art Unit: 2684

As to claims 10,17, Mirza also lacks a teaching of the call record including the call routing. Official Notice is taken that it is notoriously well known to provide information on which calls were roaming calls, i.e. routed through another carrier. It would have been obvious to one of ordinary skill in the art to modify Mirza to include roaming call information in order to ensure that the customer was aware that some of the cost of the call was out of control of the customer's system.

Claims 4,7,15,16, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mirza in view of Friend (US 6,091,944).

Consider claims 4,15. Mirza lacks a teaching of the system providing the call billing record on demand to a customer. Friend teaches a providing call billing records in response to customer demand (Friend see especially, abstract, col 1. lines 44 – 67).

It would have been obvious to one of ordinary skill in the art to modify Mirza as taught by Friend in order to supply the customer with billing records on demand in order to allow customers to easily obtain an accurate record of expenses without having to wait until receipt of the monthly bill.

Consider claims 7,16. Mirza lacks a teaching of the call billing record including the dialed number. Friend teaches a call billing record including the dialed number. It would have been obvious to one of ordinary skill in the art to modify Mirza as taught by Friend to include the dialed number in order to allow the customer to easily identify the call.

(11) Response to Argument

Appellant argues that Mizra does not show the elements of claim 1, specifically the wireless access manager logic. It should first be noted that the claimed elements are shown by reference in three boxes in the instant specification in figure 1. The wireless access manager that sends wireless call details is shown in instant figure 1, box 14. Mizra teaches the wireless infrastructure in figure 1, item 201 and *mobility management* (emphasis added) interface sending wireless call details, as explained in col 3, lines 33- 55. As for the other two major elements of claim 1, the wire line switch sending wire line details, as shown in instant figure 1, box 18, has its counterpart in Mizra's switching logic, as shown in figure 1, item 101, and described in column 3, lines 18-32, while the support system which receives the wireless and wire line call details and combines them in an integrated call record is shown in box 30.

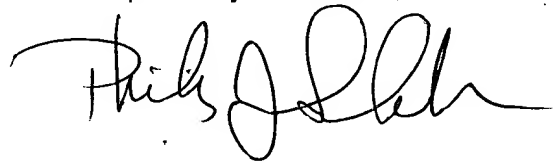
It should be noted that even upon a casual reading of Mizra one could not escape the fact that Mizra does indeed combine wireless and wire line call details to generate an integrated call record, as for example in Mizra's title and abstract. It is further noted that even if Mizra combined all of the logic that performs management, that gathers the call details from the wireless and wire line systems and generates the integrated bill into one processor unit, the claims would not distinguish over Mizra combined processor. That is, since the claim refers only to "control logic" managing and gathering and generating details and records, the claim does not prohibit the logic being combined into a single processor, as the

Art Unit: 2684

appellant appears to acknowledge by emphasizing in bold print in the brief that reference to the drawings is for illustration only. Therefore even if as appellant alleges the functions were apportioned into different physical structures, the logic would still perform the functions as outlined in the instant claims.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



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January 16, 2004

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